

REGULAR CITY COUNCIL MEETING
FEBRUARY 12, 2001

PRESENT

R. Dale Roper
Wesley Bloomfield
Bruce Curtis
Robert Dekker
Glen Swalberg

Mayor
Council Member
Council Member
Council Member
Council Member

ABSENT

Gayle Bunker

Council Member

ALSO PRESENT

Neil Forster
Richard Waddingham
Gregory Jay Schafer
Ken Thatcher
Steve Lester
Larry Purvis
Mark Johnson
Pam Fisher

Public Works Director
City Attorney
City Recorder
Airport Hangar Lessee
City Resident
City Resident

Bulloch Realty

Mayor Roper called the meeting to order at 7:00 p.m. He stated that notice of the meeting time, place, and agenda was posted at the City Building, located at 76 North 200 West, and had been provided to the Millard County Chronicle/Progress, to KNAK Radio, and to each member of the City Council, at least two days prior to the meeting. Gregory Jay Schafer, City Recorder, acted as secretary.

Council Member Bruce Curtis offered an invocation, following which Mayor Roper led those in attendance in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Regular City Council Meeting held January 8, 2001 were presented for consideration and approval. Following review, Council Member Glen Swalberg MOVED to approve the minutes of the Regular City Council Meeting held January 8, 2001, as presented. The motion was SECONDED by Council Member Bruce Curtis. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a copy of which had been given to them two days prior to the meeting. Following discussion, Council Member Wesley Bloomfield MOVED to approve the accounts payable, dated February 12, 2001, in the amount of \$166,028.32. The motion was SECONDED by Council Member Robert Dekker. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

UNFINISHED BUSINESS

There were no items of unfinished business on the agenda.

NEW BUSINESS

MAYOR R. DALE ROPER: DELTA MUNICIPAL AIRPORT

Mayor Roper explained that Del-Aero has elected to terminate its lease of the Delta Municipal Airport. There is a person who has indicated an interest in leasing the airport on the same terms as Del Aero, however, Mayor Roper has not had an opportunity to discuss some of the terms of the lease. There is a flying club in the area which has approached the Mayor with regard to upgrading facilities, such as the office and restrooms, in return for hangar rent.

Larry Purvis, President of the Intermountain Flying Club, represented the club in discussing the airport with Council Members. Mr. Purvis expressed concern with the fact that the Delta Municipal Airport has been placed on a list of airports for which funding is being drastically cut or eliminated. The Intermountain Flying Club would like to see the Delta airport returned to a standard where it can again receive funding for improvements. In researching this situation with other airports, it has been determined that funding can be regained through interest shown in improving the facility. Therefore, the Intermountain Flying Club has put together a three part proposal consisting of (1) seeking to manage the airport, with the assistance of an Airport Board, City Council Members, or interested pilots; (2) donating time and labor in upgrading the airport office and restroom facilities in exchange for hangar space; and (3) assuming responsibility for fuel sales, contingent upon the club meeting all requirements in this area. There is concern that the club cannot, at this time, meet all the criteria for operating the fuel sales.

Mayor Roper asked Mr. Purvis if the Intermountain Flying Club would keep the airport open, as it has been. Mr. Purvis indicated that it would be their intention to keep the airport open, for the present time.

Council Member Glen Swalberg asked Mr. Purvis to put their proposal in writing so that the Council can review it between Council Meetings. Mr. Purvis advised the Council that Intermountain Flying Club would have their proposal in writing to present to the Council at the next meeting.

COUNCIL MEMBER GAYLE BUNKER: PROPOSED SINGLE LOT SUBDIVISION LOCATED AT APPROXIMATELY 296 NORTH 100 EAST (L.D.S. CHURCH/HOUGHTON)

Mayor Roper advised the Council that the Planning & Zoning Commission had reviewed this proposed single lot subdivision and recommended that the City Council hold a public hearing on the matter. Council Member Robert Dekker MOVED to hold a public hearing on March 12, 2001 at 6:45 p.m., for the purpose of receiving public comment regarding the proposed single lot subdivision located at approximately 296 North 100 East. The motion was SECONDED by Council Member Glen Swalberg. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

COUNCIL MEMBER GAYLE BUNKER: PROPOSED DROUBAY SINGLE LOT SUBDIVISION LOCATED AT APPROXIMATELY 990 NORTH 350 EAST

Mayor Roper advised the Council that the Planning & Zoning Commission had reviewed this proposed single lot subdivision and recommended that the City Council hold a public hearing on the matter. Council Member Glen Swalberg MOVED to hold a public hearing on March 12, 2001, at 6:30 p.m., for the purpose of receiving public comment regarding the proposed Droubay single lot subdivision located at approximately 990 North 350 East. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR R. DALE ROPER: WATER BILLING ADJUSTMENT - JOHN DEASY

Mayor Roper reported that he had been contacted by Mr. John Deasy, who requested that his water billing be written off due to a water leak. Mayor Roper stated that the water leak began around the end of December and, while Mr. Deasy was out of town the first part of January, the Delta City Public Works found the leak and made every effort possible to contact Mr. Deasy to tell him about the leak. Public Works Director Neil Forster explained that Mr. Deasy owns the large mobile home park at the east end of town, which has one mobile home in the park at this time. The Public Works Department noted that an extremely large amount of water was being used during the normal billing process, so efforts were made to determine the reason for the large usage. A large water leak was discovered, and Public Works Director Forster began his attempt to contact Mr. Deasy, first by calling all telephone numbers that we had, and leaving messages on answering machines, then sent a notice of the problem to Mr. Deasy by return receipt mail. The Public Works Department believed that they had a current address for Mr. Deasy, inasmuch as the monthly billing statements were not being returned. There was no response from either telephone messages or from the mail.

Approximately three weeks later, Public Works Director Forster went to the tenants living in the mobile home park, who had an additional telephone number that we did not have. When calling that number, another voice mail message was left. It was probably about six weeks from the time the leak was verified that we heard from Mr. Deasy. When Mr. Deasy finally called, Public Works Director Forster recommended that he hire a local plumbing contractor to repair the leak, which Mr. Deasy did. We now have obtained current addresses and telephone numbers for Mr. Deasy, but

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Public Works Director Forster felt that every possible effort had been made to contact Mr. Deasy with the information we had at that time.

It was the feeling of Council Members that Mr. Deasy should not have the bill written off because Delta City had made every possible effort to contact him and Delta City incurred the cost of providing water service to that location. Council Member Swalberg asked if it would be possible for Delta City to absorb a portion of the bill, perhaps 1/3 of the cost. Council Member Bloomfield questioned whether a discount could be allowed if the bill were paid within sixty days. Council Member Glen Swalberg MOVED to reduce Mr. Deasy's water bill by \$432.95, if the balance of the bill is paid within sixty days. The motion was SECONDED by Council Member Bruce Curtis. Mayor Roper asked if there were any comments or questions regarding the motion. It was suggested that Mr. Deasy be required to make certain that we have a current address and telephone number or to assign responsibility for these matters to someone living in the local area. City Attorney Richard Waddingham asked Public Works Director Forster if the ordinance requires that notices be sent to the last known address. Public Works Director Forster affirmed that mailing to the last known address is required by the ordinance. Mayor Roper called for a vote on the motion. The motion failed for lack of votes.

Following further discussion, Council Member Robert Dekker MOVED to not reduce the amount of the water billing and require that Mr. Deasy pay the amount, in full. The motion failed for lack of a Second. Council Member Glen Swalberg MOVED to reduce Mr. Deasy's water bill by \$225.95. The motion died for lack of a second. Council Member Robert Dekker stated that he would be in favor of working out a payment schedule for Mr. Deasy rather than discounting the bill. Council Member Robert Dekker then MOVED to not reduce the amount of the water billing and allow Mr. Deasy eighteen months to pay the bill of \$1,432.95, in its entirety, while keeping his current billings paid. The motion was SECONDED by Council Member Glen Swalberg. The Council requested that Mr. Deasy be contacted and advised of the Council's decision. Mayor Roper asked if there were any comments or questions regarding the motion. There being no further comment or questions, he called for a vote. The motion passed unanimously.

MAYOR R. DALE ROPER: MILLARD COUNTY ECONOMIC DEVELOPMENT ASSOCIATION VIDEOTAPE PRESENTATION

Mayor Roper told the Council that the Millard County Economic Development Association made a videotape presentation to be used in recruiting businesses to this area. The Association would like to make a new, updated videotape, using some of the videotape from the previous presentation. It is estimated that the cost will be approximately \$1,000 per minute. The Association asked Mayor Roper if Delta City could assist in production of the presentation with a monetary donation, as well as information which could be used. Mayor Roper asked the Council if they would be agreeable to donating \$1,000 toward the videotape project. Council Member Robert Dekker MOVED to donate \$1,000 to the Millard County Economic Development Association to be used in development of a new videotape presentation. The motion was SECONDED by Council Member Glen Swalberg. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

OTHER BUSINESS

Mayor Roper reminded Council Members of the open house being held for former Fire Chief Bryce Ashby on February 15th from 4:00 p.m. to 7:00 p.m. at the fire house.

Council Member Robert Dekker MOVED to adjourn the meeting. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Roper declared the meeting adjourned at 7:45 p.m.



R. DALE ROPER, Mayor

GREGORY JAY SCHAFER, City Recorder

MINUTES APPROVED: RCCM 02-26-01